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FROM	charles mirho
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RE	09/699,236

### COVER MESSAGE

OF FACIMILE

CERTIFICATE

matter of:

In the

ADAPTIVE BANDWIDTH SYSTEM

AND METHOD FOR BROADCAST DATA

Number:  
09/699,236

Application

code: FSP0096

Docket

October 27, 2000

File date:

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14 pages of amendment and response

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**CERTIFICATE OF FACIMILE**

In the matter of:

**ADAPTIVE BANDWIDTH SYSTEM**

**AND METHOD FOR BROADCAST DATA**

Application Number: 09/699,236

Docket code: FSP0096


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Printed name: Charles A. Mirho  
(12/7/04)

Signature:   
Tue Dec 7 2004 12:07:54 PM EST CA

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12/7/04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Art Unit: 2661  
Daniel Sheeran  
Attorney Docket: FSP0096  
Application No. 09/699,236  
Filed: October 27, 2000  
For: ADAPTIVE BANDWIDTH SYSTEM AND  
METHOD FOR BROADCAST DATA  
Examiner: Phirin Sam  
Date: 10/24/2004

TRANSMITTAL LETTER

COMMISSIONER FOR PATENTS  
Washington, DC 20231

Enclosed for filing in the application referenced above are the following:

14 pages of amendment and response  
One page of Certificate of Facimile

Name: Charles A. Mirho

Signed:  Date: 12/07/2004

Page 1 of 14

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application: 09/699,236	) Examiner: Phirin Sam
First Inventor: Daniel Sheeran	) Art 2661
Filing date: October 27, 2000	)
Attorney Docket: FSP0096	)
	)
	)
Title: ADAPTIVE BANDWIDTH SYSTEM AND METHOD FOR BROADCAST DATA	)
	)

AMENDMENT AND RESPONSE TO OFFICE ACTION

Claims 1-56 were originally presented.

Claims 1, 21, and 39 are currently amended.

Payment was previously made for the prosecution of 56 total claims. The present number of total claims does not exceed this number, hence no fee for additional total claims is due. Payment was previously made for the prosecution of 3 independent claims. The present number of independent claims does not exceed this number, hence no fee for additional independent claims is due.

1.(Currently amended) A system for dynamically allocating bandwidth between one or more customer services to provide a switched data network for broadcast data, comprising:  
one or more different customer service providers that each provide different data to one or more customers;  
one or more service nodes wherein each service nodes provides data to ~~one or more customers a~~ plurality of customer premises and each service node receives a unique multiplex of digital data for its customers premises; and  
~~a dynamic bandwidth allocation module for allocating the bandwidth of the system between the one or more different customer service providers to the one or more service nodes wherein the bandwidth assigned to each customer service provider for each service node is dynamically~~

Amendment and Response to Office Action  
Before Phirin Sam, Art Unit 2661  
Re: 09/699,236